



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

February 12, 2020

Regulatory Division
North Branch
Jacksonville Permits Section

PUBLIC NOTICE

Permit Application No. SAJ-2020-00484 (SP-DSD)

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) as described below:

APPLICANT: KB Homes
Attention: Chris Hill
10475 Fortune Parkway, Suite 100
Jacksonville, Florida 32256

WATERWAY AND LOCATION: The project would affect waters of the United States (wetlands) associated with Sampson Creek. The project site is located in Section 17, Township 5 South, Range 28 East, St. John's County, Florida (St. Johns County Property Appraiser Parcel Identification Numbers 026341-0060, 026320-0000, 026330-0020, 026330-0010, 026330-0040, 026330-0060, 0263300000, 0263250010, 0263250030, 0263410020, 0263250000, 0263300050).

APPROXIMATE CENTRAL COORDINATES: Latitude 30.0686°
Longitude -81.5026°

PROJECT PURPOSE:

Basic: The basic project purpose is residential development.

Overall: The overall project purpose is to construct a residential development to meet an identified need for housing in the general area of the community of St. Johns.

EXISTING CONDITIONS: The project site consists of 36.14 acres of property, of which, 2.96 acres is freshwater wetlands.

The onsite uplands throughout a majority of the property are a mixture of improved pastureland and low density residential, vegetation includes bahiagrass (*Paspalum notatum*) with very scattered wax myrtle (*Myrica cerifera*), saltbush (*Baccharis halimifolia*), winged sumac (*Rhus copailina*) and live oak (*Quercus virginiana*).

The wetland communities on site are characterized as wetland forested mixed and temperate hardwood. The forested mixed wetland is vegetated with slash pine (*Pinus elliotii*) dahoon holly (*Ilex cassine*), loblolly bay (*Gordonia lasianthus*), red maple (*Acer rubrum*), live oak (*Quercus virginiana*), and sweetgum (*Liquidambar styraciflua*). The understory and groundcover are vegetated with fetterbush (*Lyonia lucida*), highbush blueberry (*Vaccinium corymbosum*), Virginia chain fern (*Woodwardia virginica*), and pipewort (*Eriocaulon* sp.). The temperate hardwood wetland is vegetated with live oak, laurel cherry (*Prunus caroliniana*), pignut hickory (*Carya glabra*), southern red cedar (*Juniperus silicicola*), southern magnolia (*Magnolia grandiflora*) and scattered cabbage palm (*Sabal palmetto*). The dense canopy cover limits the understory vegetation to scattered saw palmetto, beautyberry (*Callicarpa americana*), and yaupon holly (*Ilex vomitoria*) with very little to no groundcover. The area surrounding the project site includes low density residential development and a wetland forested mixed system.

PROPOSED WORK: The applicant seeks authorization to discharge clean fill into 1.84 acres of wetlands.

AVOIDANCE AND MINIMIZATION INFORMATION – The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: Prior to proposing any wetland impacts, the project engineer utilized all onsite uplands. The engineer also had to adhere to St Johns County requirements including, but not limited to, parcel density limitations, setbacks (20-foot front, 5-foot side, 10-foot rear) as well as an overall development edge of 35 feet. The design also includes roadways and sidewalks with appropriate (safe) widths; and, recreation spaces that meet St. Johns County standards. Other restraints include an appropriately designed stormwater management/treatment system, which would meet St. Johns River Water Management District (SJRWMD) criteria.

COMPENSATORY MITIGATION – The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant's ecological agent compiled a Uniform Mitigation Assessment Method (UMAM) quantifying and qualifying the loss of wetland functions and services associated with the work proposed. The UMAM calculated that loss as 1.17 units. Therefore, the applicant proposed to mitigate for the adverse wetland impacts by purchasing 1.17 Uniform Mitigation Assessment Method (UMAM) mitigation bank credits from *St Johns Wetland Mitigation Bank* (SJWMB). The SJWMB is an ACOE permitted bank, which has a service area that encompasses the project site.

CULTURAL RESOURCES:

The Corps is not aware of any known historic properties within the permit area. By copy of this public notice, the Corps is providing information for review. Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer and those federally recognized tribes with concerns in Florida and the Permit Area.

ENDANGERED SPECIES:

On February 5, 2020, the Corps executed a *Resources at Risk* (RAR) report. Since the proposed work is located within the Core Foraging Area for the Wood Stork, the Corps evaluated the potential impacts to the Wood Stork using the *Corps of Engineers, Jacksonville District U.S. Fish and Wildlife Service, Jacksonville Ecological Services Field Office and State of Florida Effect Determination Key for the Wood Stork in Central and North Peninsular Florida, September 2008* (Wood Stork Key). Use of this Wood Stork Key resulted in the sequential determination A>B>*no effect*, as the project does not affect suitable foraging habitat. The U.S. Fish and Wildlife Service previously indicated that they concur with determinations of *no effect*, based on the key for Wood Storks; and, that no additional consultation is necessary

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

COMMENTS regarding the potential authorization of the work proposed should be submitted in writing to the attention of the District Engineer through the North Permits Section, Jacksonville District Corps of Engineers Post Office Box 4970 Jacksonville Florida, 32232 within 21 days from the date of this notice.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.

QUESTIONS concerning this application should be directed to the project manager, Danielle D'Amato, in writing at the Jacksonville Permits Section, Jacksonville District Corps of Engineers Post Office Box 4970 Jacksonville Florida, 32232; by electronic mail at Danielle.S.D'Aamto@usace.army.mil; or, by telephone at (904)-232-2166.

IMPACT ON NATURAL RESOURCES: Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization

of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

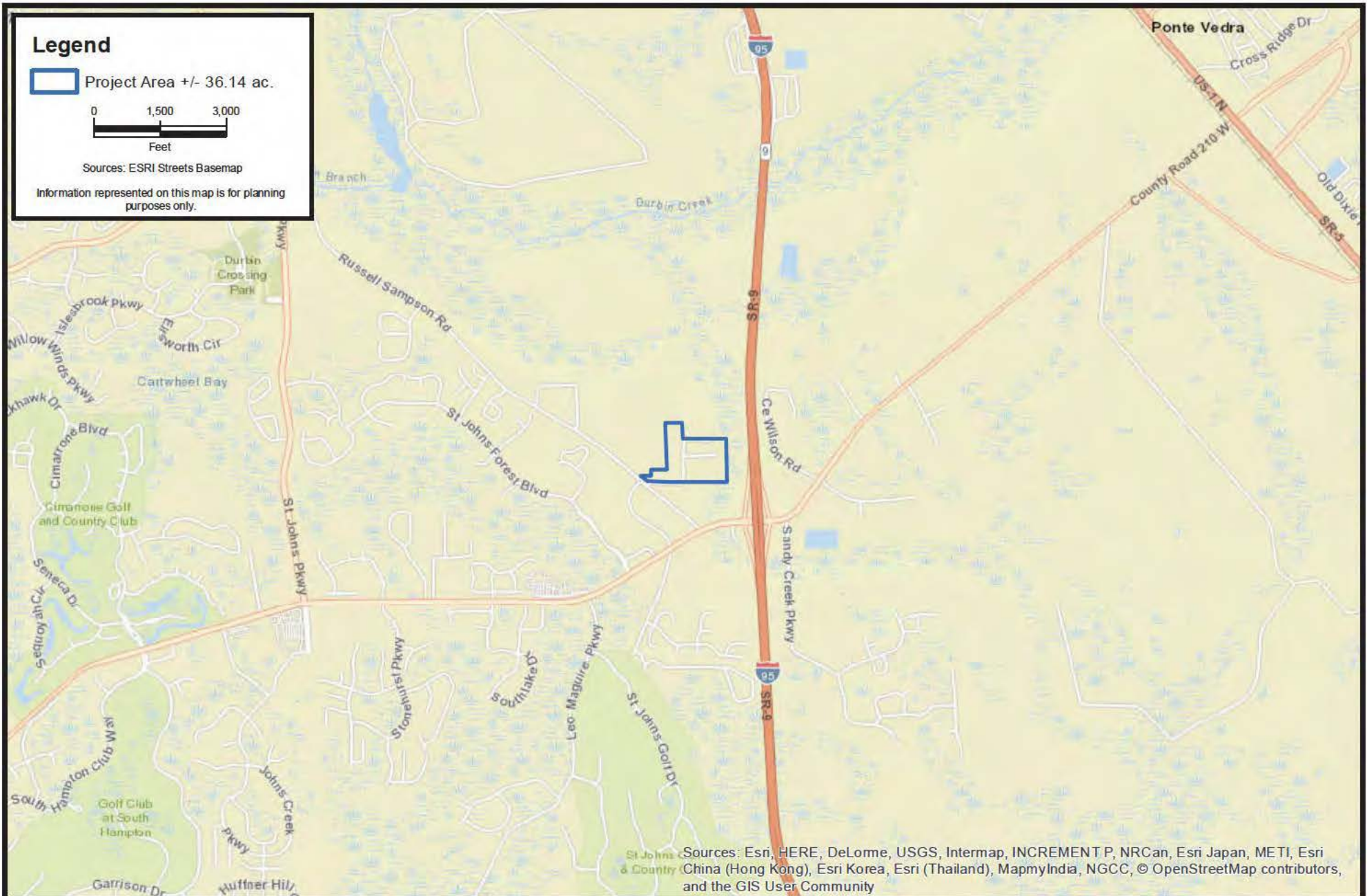
Legend

 Project Area +/- 36.14 ac.

0 1,500 3,000
Feet

Sources: ESRI Streets Basemap

Information represented on this map is for planning purposes only.



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri (China (Hong Kong)), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

**CARTER ENVIRONMENTAL
SERVICES, INC.**



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Location Map

Brookside Preserve

Project: 5.19385

St Johns County, FL

Date: Jan 14 2020

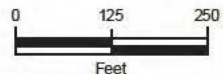
Figure:

1



Legend

- Project Area +/- 36.14 ac.
- X Data Point Collection Locations
- 110 - Low Density Residential +/- 17.70 ac.
- 211 - Improved Pasture +/- 4.83 ac.
- 425 - Temperate Hardwood +/- 8.47 ac.
- 630 -Wetland Forested Mixed +/- 2.96 ac.
- 742 - Borrow Pits +/- 2.19 ac.



Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.



Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**CARTER ENVIRONMENTAL
SERVICES, INC.**



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Existing Site Conditions Brookside Preserve

Project: 5.19385

St Johns County, FL

Date: Jan 14 2020

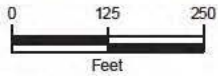
Figure:

3



Legend

- Project Area +/- 36.14 ac.
- Wetland Impacts +/- 1.84 ac.
- Borrow Pit Fill +/- 2.19 ac.
- Wetland Remaining +/- 1.12 ac.



Sources: ESRI Aerial Basemap

Information represented on this map is for planning purposes only.

Wetland Impact 1: 0.03 ac.

Wetland Impact 2: 1.81 ac.

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**CARTER ENVIRONMENTAL
SERVICES, INC.**



42 Masters Drive
St. Augustine, FL 32084
904-540-1786

www.carterenv.com

Proposed Site Conditions Brookside Preserve

Project: 5.19385

St Johns County, FL

Date: Jan 22 2020

Figure:

4

